

REMARKS

Claims 1-29 and 31-45 are pending in this application. By this Amendment, claims 1, 10, 29 and 37 are amended for clarity, new claims 44-45 are added and claim 30 is cancelled without prejudice or disclaimer.

Applicant gratefully acknowledges the Office Action's indication that claims 39 and 40 are allowed and that claims 2-20, 23, 30, 37, 41 and 42 contain allowable subject matter.

The Office Action rejects claims 1, 21, 22, 24-29, 31-36, 38 and 43 under 35 U.S.C. §103(a) over U.S. Patent 6,850,494 to Bender and U.S. Patent 6,148,422 to Strawczynski et al. (hereafter Strawczynski). The rejection is respectfully traversed.

Independent claim 1 recites receiving multicast/broadcast (M/B) packet data of a different network server, transmitted from a packet data serving node (PDSN), without setting links between the PDSN and target mobile stations for an M/B transmission within a mobile communication network. Independent claim 1 also recites temporarily storing the received M/B packet data, performing an error control procedure, and transmitting the received M/B packet data to a plurality of mobile stations through a M/B packet data dedicated channel, and processing the M/B packet data by only the target mobile stations that are identified by header information of the received M/B packet data.

The Office Action asserts that Bender discloses receiving multicast/broadcast packet data of a different network server transmitted from a PDSN without setting links between the PDSN and target mobile stations. The Office Action cites Bender's Fig. 1, col. 1, lines 35-37 and col. 4, lines 24-37 for these features. However, these sections do not discuss receiving

multicast/broadcast packet data. Bender discloses a wireless communication network that includes BSC 16, a PDSN, modem pool transceivers (MPTs) and modem pool controllers (MPCs). There is no disclosure of receiving multicast/broadcast packet data. Furthermore, there is no suggestion for receiving multicast/broadcast packet data without setting links between the PDSN and target mobile stations. Bender does not disclose that the PDSN has no links established to the mobile stations or subscribers being served. Accordingly, independent claim 1 defines patentable subject matter at least for this reason.

Furthermore, the Office Action agrees that Bender does not disclose performing of error control of the received packet and processing the data packet by the targeted mobile stations identified by the header information. Applicant respectfully asserts that features of independent claim 1 specifically relate to M/B packet data, and Strawczynski does not teach or suggest the features alleged in the Office Action. More specifically, Bender and Strawczynski do not teach transmitting the received the M/B packet data to a plurality of mobile stations through a M/B packet data dedicated channel. The Office Action does not specifically discuss a M/B packet data dedicated channel and therefore applicant is unable to more specifically comment on this specific feature.

Furthermore, Bender and Strawczynski do not teach or suggest processing the M/B packet data by only the target mobile stations are identified by header information of the received M/B packet data. The Office Action agrees that Bender does not teach or suggest these features. However, the Office Action relies on Strawczynski as showing these features. However, Strawczynski does not process M/B packet data and therefore does not process M/B

packet data by only mobile stations identified by header information on the received M/B packet data. Merely because Strawczynski discloses header information, this does not suggest processing M/B packet data by only the target mobile stations that are identified by header information of the received M/B packet data. For at least these reasons, the applied references do not teach or suggest all the features of independent claim 1. Thus, independent claim 1 defines patentable subject matter.

Independent claim 24 also defines patentable subject matter for at least similar reasons. More specifically, independent claim 24 recites transmitting the packet data from the BSC/PCF to a plurality of base stations, which provide service to the plurality of subscribers, using a single communication link between the BCS/PCF and each of the plurality of base stations, and transmitting the packet data from the plurality of base stations to designated ones of the plurality of subscribers.

The applied references do not teach or suggest transmitting the packet data from the BSC/PCF to a plurality of base stations using a single communications link between the BSC/PCF and each of the plurality of base stations. As one example, Fig. 3 of the present application shows a single communication link between BSC/PCF and one of the BTS. This differs from the arrangement shown in Fig. 1 of the present application. Furthermore, the applied references do not teach or suggest transmitting the packet data from the plurality of base stations to designated ones of a plurality of subscribers. Accordingly, the applied references do not teach or suggest all the features of independent claim 24. Thus, independent claim 24 defines patentable subject matter.

Independent claim 29 has been amended to include allowable features of dependent claim 30. Thus, independent claim 29 defines patentable subject matter at least for this reason.

Independent claim 32 recites transmitting the packet data from the BSC/PCF to a plurality of base stations, each of which provides service to the subscribers, using a single communication link between the BCS/PCF and each of the plurality of base stations. Independent claim 32 also recites determining whether each of the plurality of the subscribers is an intended recipient of the packet data, based on header information of the packet data. The applied references do not teach or suggest these features. More specifically, the applied references do not teach or suggest transmitting the packet data from the BSC/PCF to a plurality of base stations using a single communications link between the BSC/PCF and each of the plurality of base stations. Furthermore, the applied references do not teach or suggest determining whether each of the plurality of subscribers is an intended recipient of the packet data based on header information of the packet data. Accordingly, independent claim 32 defines patentable subject matter at least for this reason.

Still further, independent claim 38 also defines patentable subject matter at least for similar reasons. That is, independent claim 38 recites a base station controller/ packet control function (BSC/PCF) configured to receive the packet data, destined to multiple subscribers associated with the BSC/PCF, from the PDSN through a single communication link. Independent claim 38 also recites a plurality of base stations, each of which provides service to the subscribers and each of which is configured to receive the packet data from the BSC/PCF through a single communication link between the BCS/PCF and each of the plurality of base

stations. Independent claim 32 also recites that each of the subscribers determines whether the subscriber is an intended recipient of the packet data, based on header information within the packet data, and wherein no link is established between the PDSN and any specific one or more of the subscribers. For at least the reasons set forth above, the applied references do not teach or suggest receiving packet data through a single communication link. Additionally, the applied references do not teach or suggest the plurality of base stations to receive the packet data from the BSC/PCF through a single communications link. Furthermore, the applied references do not teach or suggest that each of the subscribers determines whether the subscriber is an intended recipient of the packet data based on header information within the packet data. Additionally, the applied references do not teach or suggest that no link is established between the PDSN and any specific one or more of the subscribers. For at least these reasons, independent claim 38 defines patentable subject matter.

As stated above, each of independent claims 1, 24, 29, 32, 38, 39 and 40 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references. For example, each of new dependent claims 44-45 contains allowable subject matter for at least similar reasons as dependent claims 2 and 12.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-29 and 31-45 are

Serial No. 09/987,761
Reply to Office Action dated July 21, 2005

Docket No. P-0281

earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



David C. Oren
Registration No. 38,694

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3701 DCO:tlg/kah

Date: October 21, 2005

Please direct all correspondence to Customer Number 34610